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USCG-2003-14472-2

U.S. COAST GUARD

CATEGORICAL EXCLUSION DETERMINATION

FOR

Vessel Documentation: Lease Financing for Vessels Engaged in the Coastwise Trade; Second Rulemaking

46 CFR Part 67

Under Public Law 104-324 (Coast Guard Authorization Act of 1996) Congress amended the vessel documentation laws allowing lease financing of vessels engaged in coastwise trade. The Coast Guard promulgated regulations to implement this change. The proposed rulemaking would make further changes to these regulations. These provisions would amend the new requirements for vessel lease financing, to better align them with the expressed intent of Congress, and to reduce the likelihood of any negative economic impacts. This proposed rulemaking is therefore administrative in nature by affecting vessel documentation.

This action has been thoroughly reviewed by the Coast Guard, and it has been determined by the undersigned to be categorically excluded under current Coast Guard CE #34(d) from further environmental documentation, in accordance with Section 2.B.2. and Figure 2-1 of the NEPA Implementing Procedures, COMDTINST M16475.1D, since implementation of this action will not result in any:

1. Significant cumulative impacts on the human environment;
2. Substantial controversy or substantial change to existing environmental conditions;
3. Impacts which are more than minimal on properties protected under 4(f) of the DOT Act, as superseded by Public Law 97-449 and Section 106 of the National Historic Preservation Act; or

4. Inconsistencies with any Federal, State, or local laws or administrative determinations relating to the environment.

13 Feb 03
Date

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Preparer

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2/20/03
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1/29/2004
Date

Thomas H. Collins
Responsible Official

Thomas H. Collins, ADM
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Commandant

ENVIRONMENTAL CHECKLIST

NOTE: This checklist should be completed by the decision-maker in consultation with an **ENVIRONMENTAL PROTECTION SPECIALIST**. Please read the information on how to properly complete this checklist on pages 4-10 and make sure each question is answered using the accompanying explanations found on the pages cited after each question. Attempting to answer these questions without reading the accompanying explanations may result in an incorrect or incomplete environmental analysis.

***Project Description:**

Under Public Law 104-324 (Coast Guard Authorization Act of 1996) Congress amended the vessel documentation laws allowing lease financing of vessels engaged in coastwise trade. The Coast Guard promulgated regulations to implement this change. The proposed rulemaking would make further changes to these regulations. These provisions would amend the new requirements for vessel lease financing, to better align them with the expressed intent of Congress, and to reduce the likelihood of any negative economic impacts. This proposed rulemaking is therefore administrative in nature by affecting vessel documentation.

Activity Year: 2003

(*Note: Checklist preparer may want to attach additional descriptive information on the proposed action such as: diagrams, site maps, and photographs.)

Part I. Checklist Analysis.

**YES NO NEED
DATA**

1. Is there likely to be a significant effect on public health or safety? (p. 5)		X	
2. Does the proposed action occur on or near a unique characteristic of the geographic area, such as a historic or cultural resource, park land, prime farmland, wetland, wild and scenic river, ecologically critical area, or property requiring special consideration under 49 U.S.C. 303(c)? (p. 5-6)		X	
3. Is there a potential for effects on the quality of the environment that are likely to be highly controversial in terms of scientific validity or public opinion? (p. 7)		X	
4. Is there a potential for effects on the human environment that are highly uncertain or involve unique or unknown risks? (p. 7)		X	
5. Will the action set a precedent for future actions with significant effects or a decision in principle about a future consideration? (p. 7)		X	
6. Are the action's impacts individually insignificant, but cumulatively significant when considered along with other past, present, and reasonably foreseeable future actions? (p. 7-8)		X	
7. Is the proposed action likely to have a significant impact on a district, site, highway, structure, or object that is listed in or eligible for listing in the National Register of Historic Places, or to cause the loss or destruction of a significant scientific, cultural, or historic resource? (p.8)		X	
8. Will the proposed action have a significant effect on species or habitats protected by the Endangered Species Act? (p. 9)		X	
9. Is there a potential or threatened violation of a Federal, State, or local law or requirement imposed for the protection of the environment? (p. 9-10)		X	
10. Is the action likely to have other significant effects on public health and safety or on any other environmental media or resources that are not specifically identified in this checklist? (p. 10)		X	

Part II. Comments or Additional Information Related to Part I:

